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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,346	08/18/1999	MICHAEL SATOW	0744.0001-00	6399
22852	7590 07/12/2002			
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW			EXAMINER	
			KRAMER, JAMES A	
WASHINGTO	ON, DC 20005		ART UNIT PAPER NUMBER	
			. 3627	
		i	DATE MAILED: 07/12/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

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•	Application No.	Applicant(s)	
Office Action Summary	09/376,346	SATOW ET AL.	
l and the second community	Examiner	Art Unit	
The MAILING DATE of this communi	James A. Kramer	3627	
The MAILING DATE of this communi	cauon appears on the cover sheet wi	th the correspondence address	
A SHORTENED STATUTORY PERIOD FO THE MAILING DATE OF THIS COMMUNIO - Extensions of time may be available under the provisions of after SIX (6) MONTHS from the mailing date of this commu. - If the period for reply specified above is less than thirty (30) - If NO period for reply is specified above, the maximum stat - Failure to reply within the set or extended period for reply we - Any reply received by the Office later than three months aft earned patent term adjustment. See 37 CFR 1.704(b). Status	of 37 CFR 1.136(a). In no event, however, may a reunication. It is a reply within the statutory minimum of thirty than the property period will apply and will expire SIX (6) MON the property of the propert	eply be timely filed (30) days will be considered timely. THS from the mailing date of this communication.	
1) Responsive to communication(s) file	ed on		
	b)⊠ This action is non-final.		
3) Since this application is in condition closed in accordance with the practic Disposition of Claims	for allowance except for formal matter	ers, prosecution as to the merits is . 11, 453 O.G. 213.	
4) Claim(s) is/are pending in the	application.		
4a) Of the above claim(s) is/are			
5) Claim(s) is/are allowed.	wanarawii nom consideration.		
6) Claim(s) is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) 1-49 are subject to restriction	and/or election requirement		
Application Papers	- Liter of oloodoff requirement.		
9) The specification is objected to by the E	Examiner.		
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the	e Examiner.	
Applicant may not request that any objec	tion to the drawing(s) be held in abeyan	ce. See 37 CFR 1.85(a)	
11) The proposed drawing correction filed o	on is: a)∏ approved b)∏ dis	approved by the Examiner.	
If approved, corrected drawings are requi	ired in reply to this Office action.		
12) The oath or declaration is objected to by	y the Examiner.		
Priority under 35 U.S.C. §§ 119 and 120			
13) Acknowledgment is made of a claim fo	r foreign priority under 35 U.S.C. §	119(a)-(d) or (f).	
a) ☐ All b) ☐ Some * c) ☐ None of:		.,	
1. Certified copies of the priority do	cuments have been received.		
2. Certified copies of the priority do	cuments have been received in App	lication No	
 Copies of the certified copies of t 	the priority documents have been re	ceived in this National Stage	
14) Acknowledgment is made of a claim for o	domestic priority under 35 U.S.C. 8	119(e) (to a provisional application)	
a) ∐ The translation of the foreign langua	age provisional application has been	received	
Acknowledgment is made of a claim for o	domestic priority under 35 U.S.C. §§	120 and/or 121.	İ
ttachment(s)			
) ☐ Notice of References Cited (PTO-892)) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-	948) 4) Interview Sun 5) Notice of Info	nmary (PTO-413) Paper No(s) rmal Patent Application (PTO-152)	

U.S. Patent and Trademark Office PTO-326 (Rev. 04-01)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)

6) Other:

5) Notice of Informal Patent Application (PTO-152)

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-8, 15-29, 36-45 and 47-49, drawn to executing a stock trade, classified in class 705, subclass 37.
- II. Claims 9-14, 30-35 and 46, drawn to publishing stock trading information, classified in class 707, subclass 104.1.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have very different functions. Invention I serves to execute a stock trade, while Invention II provides data to a user.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Further, Invention I contains claims directed to the following patentably distinct species of the claimed invention:

- I. Executing a stock trade between two non-institutional users
- II. Executing a stock trade between two non-institutional users via a broker-dealer

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Should applicant elect Invention I, applicant is further required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (703) 305-5241. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9123 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

James A. Kramei

July 1, 2002

Kenneth R. Rice Primary Examiner